

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA

NORTH PEARL STREET, A LIMITED
PARTNERSHIP, a Washington
limited partnership,

Plaintiff,

v.

CITY OF TACOMA, a Washington municipal
corporation,

Defendant.

No. 3:24-cv-5794-TMC

STIPULATION AND [PROPOSED]
ORDER SETTING BRIEFING
SCHEDULE FOR SUMMARY
JUDGMENT

I. INTRODUCTION

WHEREAS, the parties have conferred on more than one occasion about the nature and posture of the case; and

WHEREAS, the parties believe this case is subject to a number of gateway legal issues, which do not require substantial discovery; and

WHEREAS, the parties desire to efficiently adjudicate this case in a manner that minimizes needless costs and delay; and

WHEREAS, the parties also desire to minimize redundant and unhelpful briefing which are often attendant to cross-motions; and

WHEREAS, LCR 7(k) encourages parties to agree on a briefing schedule for cross-motions and to submit it to the court through a stipulated motion and proposed order; and

WHEREAS, the parties have crafted a summary judgment briefing schedule that differs from the Court's standing order, which they are now submitting for the Court's consideration.

II. STIPULATION

Pursuant to LCR 7(k), the parties hereby stipulate to the following summary judgment briefing schedule for the legal-questions phase of this bifurcated litigation:

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT	April 18, 2025
DEFENDANT'S COMBINED RESPONSE BRIEF AND CROSS-MOTION FOR SUMMARY JUDGMENT	May 19, 2025
PLAINTIFF'S COMBINED RESPONSE BRIEF AND REPLY BRIEF	May 30, 2025
DEFENDANT'S REPLY BRIEF	June 9, 2025

The parties further stipulate that Defendant's Combined Response Brief and Cross-Motion for Summary Judgment shall be limited to 11,000 words, and that Plaintiff's Combined Response and Reply Brief shall be limited to 6,800 words, giving each party a total of 15,200 words for the cross-motions, responses, and replies. These word-counts break down as follows:

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT	8,400
DEFENDANT'S COMBINED RESPONSE BRIEF AND CROSS-MOTION FOR SUMMARY JUDGMENT	11,000
PLAINTIFF'S COMBINED RESPONSE BRIEF AND REPLY BRIEF	6,800
DEFENDANT'S REPLY BRIEF	4,200

1 The parties further stipulate that, following the Court's ruling on the summary judgment
2 cross-motions, if the case is not dismissed, they shall confer and submit a joint status report
3 recommending discovery and trial-related deadlines.

4 SO STIPULATED.

5 CITIZEN ACTION DEFENSE FUND

6
7 By s/ Jackson Maynard, Jr.
8 Jackson Maynard, Jr., WSBA #43481
9 *Attorney for Plaintiff*

10 CITY OF TACOMA

11 By s/ Chris Bacha
12 Chris Bacha, WSBA #16714
13 *Attorney for Defendant*

14 By s/ David A. Linehan
15 David A. Linehan, WSBA #34281
16 *Attorney for Defendant*

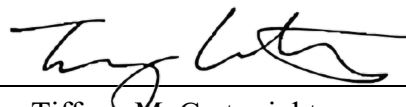
17 By s/ Ann Marie J. Soto
18 Ann Marie J. Soto, WSBA #42911
19 *Attorney for Defendant*

20 III. ORDER

21 The Court, finding good cause, hereby ORDERS that the above briefing schedule and
22 modified word limits supersedes the prior dispositive motion filing deadline of May 1, 2025, and
23 further ORDERS that, if the case survives summary judgment, the parties shall submit a joint
24 status report recommending discovery and trial-related deadlines.

25 SO ORDERED.

1 Dated this 4th day of April, 2025.

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4 Tiffany M. Cartwright
5 United States District Judge
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